PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of	Docket No: Q64549
Toshihiko KAKU	
Appln. No.: 09/864,456	Group Art Unit: 2162
Confirmation No.: 1775	Examiner: Joshua BULLOCK
Filed: May 25, 2001	
For: IMAGE DISTRIBUTING SYSTEM	

APPEAL BRIEF UNDER 37 C.F.R. § 41.37

MAIL STOP APPEAL BRIEF - PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the provisions of 37 C.F.R. § 41.37, Appellant submits the following:

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I. REAL PARTY IN INTEREST

The real party in interest in this appeal is FUJI PHOTO FILM CO., LTD. of Japan. The assignment was previously submitted and was recorded on September 19, 2001 at Reel 012473, Frame 0442. It is noted that the above-named assignee recorded a name and assignment change on February 15, 2007. The name of the assignee is now FUJIFILM CORPORATION, as recorded at Reel 018904, Frame 0001.

II. RELATED APPEALS AND INTERFERENCES

To the knowledge and belief of Appellant, the Assignee, and the Appellant's legal representative, there are no other appeals or interferences before the Board of Appeals and Interferences that will directly affect or be affected by the Board's decision in the instant Appeal.

III. STATUS OF CLAIMS

Claims 1-2, 4-45, and 47-102 are pending in the present application and stand finally rejected.

The rejections of claims 1-2, 4-45, and 47-102 are being appealed.

Claims 1-2, 4-9, 11-17, 20-28, 36-45, 47-57, 60-69, 71-75, 77-98 and 102 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,850,352 to Moezzi *et al.* (hereinafter "Moezzi"), in view of U.S. Patent No. 5,946,444 to Evans *et al.* (hereinafter "Evans").

Claims 10, 18-19, 29-35, 58-59, 70, 76 and 99-101 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Moezzi, in view of Evans, and further in view of U.S. Patent No. 6,035,323 to Narayen *et al.*(hereinafter "Narayen").

Claims 3 and 46 are cancelled.

A copy of the claims on appeal is set forth in an attached Appendix.

IV. STATUS OF AMENDMENTS

The Response filed on November 26, 2007, did not include any claim modifications. The arguments for patentability are believed to have been entered and made of record.

V. SUMMARY OF THE CLAIMED SUBJECT MATTER

An exemplary embodiment of the claimed invention is described with reference to the specification and drawings as indicated below.

Claim 1 recites:

An image distributing system (FIG. 1, element 10) for distributing an image having a target character, comprising:

a character information obtaining unit (FIGS. 1 and 2, element 30) for capturing a first image of the target character and obtaining character information of the target character (paragraph bridging pages 14-15);

a camera system (FIGS. 1 and 2, element 40) for capturing a plurality of images including a second image having at least the target character (pages 16-18);

an image database (FIG. 1, DB of image management server 20; *see also* 120 at FIG. 2) communicating with said camera system for receiving and storing said plurality of images as image data (paragraph bridging pages 18-19);

an image collecting unit (FIG. 2, element 90) for setting a selecting condition set by a user, and for automatically selecting said second image data among said plurality of said image data stored in said image database by identifying the target character according to character information thus obtained for distributing the second image including the target character, said selecting condition is a condition for selecting a specific characteristic of the target character (page 18, third full paragraph);

an image selecting terminal (FIG. 1, element 50; FIG. 2, element 50) displaying a list of images collected by said image collecting unit to the user so that said list of images are capable of being selected by the user (page 18, third full paragraph);

an output processing unit (FIG. 1, element 60) outputting the images selected by the user from said list of images as displayed to at least one of a plurality of a medium appointed by the user (page 18, fourth full paragraph);

a character positioning unit (FIG. 1, element 210; FIG. 2, element 210) for obtaining a time when the target character passes a predetermined point (page 32, first full paragraph);

an object speed detecting unit (FIG. 2, element 240) for calculating a speed of the target character based on a distance between two points and a time for the target character to pass the two points (page 32, fourth full paragraph);

wherein the image collecting unit searches only images captured in a predetermined period of time and in a moving area which is calculated based on the time when the target character passes the predetermined point and the speed of the target character (FIGS. 19-21; pages 34-36).

Claim 43 recites:

A method for distributing an image having a target character, comprising:

registering character information for the target character (page 7, third full paragraph);

capturing a plurality of images having the target character (page 7, third full paragraph);

storing image data of said plurality of images (page 7, third full paragraph);

automatically identifying the target character in each of said plurality of images based on the character information (page 7, third full paragraph);

obtaining a time when the target character passes a predetermined point (page 21, second and third full paragraphs);

calculating a speed of the target character based on a distance between two points and a time when the target character passes the two points (page 32, fourth full paragraph);

collecting a target image having the target character from the stored image data (page 7, third full paragraph);

distributing said target image to the target character (page 7, third and fourth full paragraphs);

displaying a list of collected images having the target character obtained by a search based on a selecting condition set by a user to the user so that said list of images are capable of being selected by the user, said selecting condition is a condition for selecting a specific characteristic of the target character (page 29, second full paragraph); and

outputting the images elected by the user from said list of images as displayed to at least one of a plurality of a medium appointed by the user (page 7, fourth full paragraph);

wherein only images captured in a predetermined period of time and in a moving area which is calculated based on the time when the target character passes the predetermined point and the speed of the target character, are searched (pages 31-33).

Claim 78 recites:

A business method for distributing an image having a target character, comprising the steps of:

registering character information for the target character (page 7, third full paragraph);

capturing a plurality of images in which a person who is the target character is caught (page 7, third full paragraph);

storing image data of said plurality of images (page 7, third full paragraph);

setting a selecting condition set by a user (page 18, third full paragraph);

automatically collecting at least one target image from said plurality of images in which the target character is caught from the stored image data based on the registered character information (page 7, third full paragraph);

obtaining a time when the target character passes a predetermined point (page 32, first full paragraph);

calculating a speed of the target character based on a distance between two points and a time when the target character passes the two points (page 32, fourth full paragraph);

prompting the user to select an image with the target character to be distributed from the at least one collected image (page 19, second full paragraph);

distributing the selected image in which the target character is caught based on information about the selected image (page 29, second full paragraph);

displaying a list of collected images having the target character obtained by a search based on a selecting condition appointed by a user to the user so that said list of images are

capable of being selected by the user, said selecting condition is a condition for selecting a specific characteristic of the target character (page 29, second full paragraph);

outputting the images elected by the user from said list of images as displayed to at least one of a plurality of a medium appointed by the user (page 7, fourth full paragraph),

wherein only images captured in a predetermined period of time and in a moving area which is calculated based on the time when the target character passes the predetermined point and the speed of the target character, are searched (pages 31-33).

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

This appeal is directed to each prior art rejection. In particular, the grounds of rejection to be reviewed include those rejections wherein:

Claims 1-2, 4-9, 11-17, 20-28, 36-45, 47-57, 60-69, 71-75, 77-98 and 102 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,850,352 to Moezzi *et al.* (hereinafter "Moezzi"), in view of U.S. Patent No. 5,946,444 to Evans *et al.* (hereinafter "Evans").

Claims 10, 18-19, 29-35, 58-59, 70, 76 and 99-101 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Moezzi, in view of Evans, and further in view of U.S. Patent No. 6,035,323 to Narayen *et al.*(hereinafter "Narayen").

VII. ARGUMENT

For each ground of rejection set forth above, Appellant requests withdrawal of the rejections for the reasons set forth below.

With respect to claim 1, Applicant respectfully submits that Moezzi, alone or in combination with Evans, does not teach or suggest each feature of the claim.

The Examiner acknowledges that Moezzi does not disclose "a character positioning unit for obtaining a time when the target character passes a predetermined point; and an object speed detecting unit for calculating a speed of the target character based on a distance between two points and a time for the target character to pass the two points; wherein the image collecting unit searches only images captured in a predetermined period of time and in a moving area which is calculated based on the time when the target character passes the predetermined point and the speed of the target character," as recited in claim 1 (Final Office Action dated September 25, 2007 at page 5).

The Examiner relies on Evans to allegedly cure Moezzi's deficiencies. Evans discloses a system for creating still images or video collections for guests of amusement parks (Evans at Abstract). In particular, Evans determines that a user passes by a camera by means of an identifying tag, captures images of the user, and arranges the images in a collection that can later be offered to the user (Evans at Abstract).

The cited art of record does not disclose "searching" as recited in claim 1.

Applicant respectfully submits that Moezzi, alone or in combination with Evans, does not teach or suggest, at least, an image distribution system "wherein the image collecting unit

searches only images captured in a predetermined period of time and in a moving area which is calculated based on the time when the target character passes the predetermined point and the speed of the target character", as recited in claim 1.

With respect to the "searching" claimed in claim 1, the Examiner alleges it is found in Evans editing interface, which "can be used to ... control selection and sequencing [of the images]." *See* Office Action at pages 5 and 6 (citing Evans at col. 3, lines 40-50). However, Applicant respectfully submits that, though Evans control and sequencing of images could arguably be broadly interpreted as "searching," Evans does not teach or suggest that such "searching" is limited to "only images captured in a predetermined period of time and in a moving area which is calculated based on the time when the target character passes the predetermined point and the speed of the target character", as recited in claim 1.

Furthermore, still with respect to the "searching" claimed in claim 1, the Examiner argues that, "giving the broadest reasonable interpretation, searching is a method of finding a selected item of interest from a storage location" (Advisory Action of December 13, 2007 at the continuation page). However, Applicant respectfully submits that, though "searching" could be so defined, the "searching" claimed in claim 1 is limited to "only images captured in a predetermined period of time and in a moving area," and thus, is not taught or suggested by the Examiner's broad interpretation.

Further still, the Examiner alleges that Evans' "auxiliary trigger for control of images taken" and "image storage which identifies target characters, the location, and the timing supplied by the control system, for selection and sequencing or 'search' of images" disclose a

system for "searching" recited in claim 1 (*see* Office Action dated September 25, 2007, at pages 5 and 6). However, Evans merely discloses that images taken when the user "triggers" the system are later arranged in a collection, but does not disclose "searching only images captured in a predetermined period of time and in a moving area which is calculated based on the time when the target character passes the predetermined point and the speed of the target character", as recited in claim 1.

In particular, Applicant respectfully submits that Evans' "searching" is limited to those images taken when a target character "triggers" the system, which in Evans system may occur when the target character is within range of a "tag reader" (Evans at col. 3, lines 4-12) or when the target character specifically requests the system to capture an image (Evans at col. 3, lines 16-29). However, Evans' disclosure does not teach or suggest "searching only images captured in a predetermined period of time and in a moving area which is **calculated** based on the time when the target character passes the predetermined point **and** the speed of the target character." In other words, the selection criteria of the images searched in the present invention (i.e., time when the target character passes the predetermined point and the speed of the target character.), is patentably different than Evans' "triggering" criteria.

At least for these reasons, Applicant respectfully submits that the cited art of record does not teach or suggest all the elements of claim 1.

Furthermore, the cited art of record does not disclose that the search is limited to "only images captured in a predetermined period of time and in a moving area which is

calculated based on the time when the target character passes the predetermined point and the speed of the target character", as recited in claim 1.

The Examiner seems to argue that Evans' "tag readers" disclose the speed detecting unit and the searching of captured images based on the speed of the target character, as claimed in claim 1 (Office Action of September 25, 2007 at page 6). Applicant respectfully disagrees.

Evans' system includes tag readers capable of detecting a tag when such tag is within a specific range of the tag reader (Evans at col. 3, lines 4-12). The Examiner alleges that, "since speed is calculated by the time a guest is within a specific range, the tag readers are apparently object speed detecting units" (Office Action of September 25, 2007 at page 6). Applicant respectfully submit that neither Evans' tag readers, nor any other element of Evans' disclosure, teach or suggest searching only images captured in a predetermined period of time and in a moving area "which is calculated based on the time when the target character passes the predetermined point and the speed of the target character."

The Examiner seems to argue that since Evans' tag-readers record the time at which a target character is within range of a tag-reader, Evans' tag readers could be interpreted as the object speed detecting unit of the present invention (Office Action of September 25, 2007 at page 6). However, even assuming *arguendo* that Evans' tag readers could be used for such a purpose, Evans does not teach or suggests using the tag-readers in such a manner, much less searching images according to the speed of the target character.

Specifically, and with respect to these elements of the claim, page 34 of the Specification provides the following example:

> the character positioning unit 210 detects that a character A passed the point P at 13:00 and next passed another predetermined point Q at 13:15. In this case, the image collecting unit 90 searches images the character A is caught in, **in the images captured by the camera system 40 in the period 13:00 through 13:15 and in a moving area set by the period 13:00 through 13:15 (hatched part in Fig. 20)**. Here, the moving area of a character is calculated from the time when the character passes a predetermined point P and the time when the character passes the another predetermined point Q so that the moving area covers the range where a character usually moves around." (Specification at page 34; emphasis added).

With respect to Evans, and in particular, Evans' "image storage 123" (which the Examiner contends corresponds to "an image collecting unit" of the claimed invention), Evans simply does not search images of guests captured in a predetermined period of time and in a moving area which is calculated based on the time when the target character passes the predetermined point and the speed of the target character, as claimed in claim 1. Accordingly, the image processing system of Evans cannot accomplish the same advantage as that of an image distributing system of the claimed invention.

For this additional reason, Applicant respectfully submits that the cited art of record does not teach or suggest all the elements of claim 1.

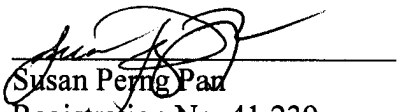
With respect to claims 43 and 78, Applicant respectfully submits these claims are patentable, at least for reasons analogous to those above with respect to claim 1.

With respect to claims 2, 4-42, 44, 45, 47-77, and 79-102, Applicant submits that they are patentable, at least by virtue of their respective dependencies.

Unless a check is submitted herewith for the fee required under 37 C.F.R. §41.37(a) and 1.17(c), please charge said fee to Deposit Account No. 19-4880.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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CLAIMS APPENDIX

CLAIMS 1-2, 4-45, and 47-102 ON APPEAL:

1. An image distributing system for distributing an image having a target character, comprising:

a character information obtaining unit for capturing a first image of the target character and obtaining character information of the target character;

a camera system for capturing a plurality of images including a second image having at least the target character;

an image database communicating with said camera system for receiving and storing said plurality of images as image data;

an image collecting unit for setting a selecting condition set by a user, and for automatically selecting said second image data among said plurality of said image data stored in said image database by identifying the target character according to character information thus obtained for distributing the second image including the target character, said selecting condition is a condition for selecting a specific characteristic of the target character;

an image selecting terminal displaying a list of images collected by said image collecting unit to the user so that said list of images are capable of being selected by the user;

an output processing unit outputting the images selected by the user from said list of images as displayed to at least one of a plurality of a medium appointed by the user;

a character positioning unit for obtaining a time when the target character passes a predetermined point; and

an object speed detecting unit for calculating a speed of the target character based on a distance between two points and a time for the target character to pass the two points;

wherein the image collecting unit searches only images captured in a predetermined period of time and in a moving area which is calculated based on the time when the target character passes the predetermined point and the speed of the target character.

2. The image distributing system as claimed in claim 1, further comprising a signal transmitter for transmitting image data from said camera system to said image database.

4. The image distributing system as claimed in claim 1, wherein said image selecting terminal includes means for capturing an image of the user who is to select images.

5. The image distributing system as claimed in claim 4, wherein said image selecting terminal further includes means for verifying the user who is to select images based on the character information.

6. The image distributing system as claimed in claim 1, wherein said image selecting terminal distributes the image data of said images selected by the user.

7. The image distributing system as claimed in claim 1, further comprising an outputting unit outputting the image data of said images collected by said image collecting unit.

8. The image distributing system as claimed in claim 7, wherein said outputting unit distributes the outputted image data.

9. The image distributing system as claimed in claim 7,

wherein said image selecting terminal transmits to said outputting unit image selection information representing which images are selected by the user.

10. The image distributing system as claimed in claim 7, wherein said outputting unit includes at least one of a printer, a CD-R recorder, an MD recorder, a web server for distributing the collected images via the Internet, means for sending E-mail with the collected images attached.

11. The image distributing system as claimed in claim 1, wherein the character information includes data about at least one of a facial characteristic, body characteristic, and characteristic of wearing apparel of the target character.

12. The image distributing system as claimed in claim 1, wherein said camera system includes a plurality of cameras located within a predetermined area.

13. The image distributing system as claimed in claim 1, wherein said image collecting unit identifies a plurality of characters in said image data based on character information corresponding to each of the plurality of characters.

14. The image distributing system as claimed in claim 1, wherein said character information obtaining unit imports an image of the target character to a character information database as the character information of the target character.

15. The image distributing system as claimed in claim 14, wherein:

said character information obtaining unit has a plurality of cameras for capturing character information,

said character information obtaining unit imports a plurality of images of the target character captured from a plurality of different angles by a respective one of said plurality of cameras, and

said image collecting unit identifies and collects, based on the plurality of images captured from the plurality of angles, said images having the target character stored in said image database.

16. The image distributing system as claimed in claim 14, wherein said character information obtaining unit updates previously obtained character information with newly obtained character information for the target character.

17. The image distributing system as claimed in claim 1, wherein:

said character information includes a registration of data of refusal to be imaged by a person, and

said image collecting unit does not collect images when at least one character in an image is a person who refuses to be imaged.

18. The image distributing system as claimed in claim 1, wherein said camera system includes at least one camera that is movable and said mobile camera has a wireless transmitter.

19. The image distributing system as claimed in claim 18, wherein said mobile camera is installed in a mobile facility, which is an object for attracting attention of the target character.

20. The image distributing system as claimed in claim 1, further comprising a character identifying unit for identifying the target character in a plurality of images,

wherein when a character is identified in one of the plurality of images as the target character, said character identifying unit also identifies the same character in the rest of the plurality of images as the target character.

21. The image distributing system as claimed in claim 20, wherein said camera system includes a plurality of cameras located within a predetermined area.

22. The image distributing system as claimed in claim 20, wherein:

said camera system includes a camera group including a plurality of cameras, each camera of said plurality of cameras captures an image of a character such that the character is imaged from a plurality of different angles by said plurality of cameras, and

wherein when the character in an image captured by one of said plurality of cameras in said camera group is identified as the target character, said character identifying unit identifies the same character in other images captured by other of said plurality of cameras in said camera group as the target character.

23. The image distributing system as claimed in claim 20, wherein said camera system includes a camera group including a plurality of cameras, each camera of said plurality of cameras captures an image of a character such that the character is imaged at a plurality of different time periods by said plurality of cameras, and

wherein when the character in an image captured by one of said plurality of cameras in said camera group is identified as the target character, said character identifying unit identifies the same character in other images captured by other of said plurality of cameras in said camera group as the target character.

24. The image distributing system as claimed in claim 1, wherein said image collecting unit identifies the target character substantially at the time an image with the target character is captured by said camera system.

25. The image distributing system as claimed in claim 24, wherein said image collecting unit saves only image data with the target character to said image database.

26. The image distributing system as claimed in claim 1, wherein:

when said image collecting unit identifies the target character as a person who refuses to be imaged substantially at the time an image is captured by said camera system and when at least one person in said image is identified as the target character who refuses to be imaged, said image collecting unit does not collect images with the target character who refuses to be imaged.

27. The image distributing system as claimed in claim 1, further comprising a timing detecting unit for detecting a timing to capture an image with the target character,

wherein said camera system captures said plurality of images with the target character when said timing detecting unit detects said timing for capturing said plurality of images.

28. The image distributing system as claimed in claim 27, wherein said timing detecting unit detects, based on position information about a plurality of characters, said timing for capturing an image when said plurality of characters are at a predetermined position.

29. The image distributing system as claimed in claim 27, further comprising means for prompting a person in a predetermined area to carry a transmitter for transmitting radio waves,

wherein said timing detecting unit includes a receiver for receiving the radio waves, and said timing detecting unit determines a distance between said transmitter and said receiver based on the radio waves transmitted from said transmitter, and detects said timing for capturing an image when the distance is determined to be a predetermined distance.

30. The image distributing system as claimed in claim 29, wherein said transmitter includes one of an ID card and a cellular phone.

31. The image distributing system as claimed in claim 29, wherein the radio waves transmitted and received between said transmitter and said receiver include the character information.

32. The image distributing system as claimed in claim 29, wherein said image collecting unit identifies the target character substantially at the time when an image is captured by said camera system.

33. The image distributing system as claimed in claim 29, wherein said means for prompting a person prompts a person who refuses to be imaged to carry a transmitter.

34. The image distributing system as claimed in claim 33, wherein when said image collecting unit identifies the target character as a person who refuses to be imaged substantially at the time an image is captured by said camera system, and when at least one person in said image is identified as the target character who refuses to be imaged, said image collecting unit does not collect images with the target character who refuses to be imaged.

35. The image distributing system as claimed in claim 29, wherein at least one of the radio waves transmitted and received between said transmitter and said receiver is a directional radio wave.

36. The image distributing system as claimed in claim 27, wherein said timing detecting unit detects a position of the target character and a position of an object for attracting attention of the target character.

37. The image distributing system as claimed in claim 27, wherein said timing detecting unit detects that both the target character and an object for attracting attention of the target character are in a predetermined range to be captured in an image.

38. The image distributing system as claimed in claim 1, wherein said camera system transmits the image data to said image database substantially every time an image is captured.

39. The image distributing system as claimed in claim 1, wherein said camera system transmits the image data to said image database substantially at predetermined time intervals.

40. The image distributing system as claimed in claim 1, wherein said camera system transmits the image data to said image database when a predetermined number of images are stored in the camera system.

41. The image distributing system as claimed in claim 1, wherein said camera system transmits the image data to said image database upon at least one of a predetermined number of images being stored and a predetermined time interval having elapsed.

42. The image distributing system as claimed in claim 1, wherein the system is structured and arranged in an amusement park.

43. A method for distributing an image having a target character, comprising:

registering character information for the target character;

capturing a plurality of images having the target character;

storing image data of said plurality of images;

automatically identifying the target character in each of said plurality of images based on the character information;

obtaining a time when the target character passes a predetermined point;

calculating a speed of the target character based on a distance between two points and a time when the target character passes the two points;

collecting a target image having the target character from the stored image data;

distributing said target image to the target character;

displaying a list of collected images having the target character obtained by a search based on a selecting condition set by a user to the user so that said list of images are capable of being selected by the user, said selecting condition is a condition for selecting a specific characteristic of the target character; and

outputting the images elected by the user from said list of images as displayed to at least one of a plurality of a medium appointed by the user;

wherein only images captured in a predetermined period of time and in a moving area which is calculated based on the time when the target character passes the predetermined point and the speed of the target character, are searched.

44. The method for distributing an image as claimed in claim 43, further comprising the step of outputting image data of collected images having the target character.

45. The method for distributing an image as claimed in claim 43, further comprising the step of distributing image data of collected images having the target character.

46. (canceled).

47. The method for distributing an image as claimed in claim 43, further comprising the step of distributing image data of images selected by the user for distribution.

48. The method for distributing an image as claimed in claim 43, further comprising a step of limiting the user to selecting images having the user as the target character based on the character information.

49. The method for distributing an image as claimed in claim 48, wherein the step of limiting the user includes verifying that the user who selects an image is the target character based on the character information.

50. The method for distributing an image as claimed in claim 43, further comprising steps of:

outputting collected images having the target character, and

notifying that image data for selected images is outputted.

51. The method for distributing an image as claimed in claim 43, wherein said step of registering character information includes a step of importing an image of the target character for the character information.

52. The method for distributing an image as claimed in claim 51, wherein said step of registering character information includes a step of importing a plurality of images of the target character, said plurality of images comprising images from a plurality of angles which are different from one another, wherein

said step of identifying the target character identifies the target character based on the plurality of images imported as the character information of the target character.

53. The method for distributing an image as claimed in claim 43, wherein said step of registering character information registers data about at least one of a facial characteristic, body characteristic, and characteristic of wearing apparel for the target character.

54. The method for distributing an image as claimed in claim 53, wherein said step of registering character information includes steps of:

obtaining an image of the target character, said image having at least one of the face, body, and wearing apparel of the target character; and

storing data about at least one of a facial characteristic, body characteristic, and wearing apparel characteristic for the target character as the character information.

55. The method for distributing an image as claimed in claim 43, wherein said step of registering character information includes a step of updating the character information for the target character when new character information is obtained.

56. The method for distributing an image as claimed in claim 43, wherein:

said step of registering character information includes registering in a character information database a refusal of a person who refuses to be imaged,

said step of identifying identifies the target character as a person who refuses to be imaged based up on said registration of the refusal, and

said step of collecting does not collect images having at least one person who refuses to be imaged.

57. The method for distributing an image as claimed in claim 43, wherein said step of capturing images captures images using a camera system, and the camera system includes a plurality of cameras located within a predetermined area.

58. The method for distributing an image as claimed in claim 43, wherein said step of capturing images captures images using a mobile camera, further comprising a step of transmitting images from the mobile camera by wireless means.

59. The method for distributing an image as claimed in claim 58, further comprising the step of installing the mobile camera on an object for attracting attention of the target character,

wherein said step of capturing images captures images from the object for attracting attention.

60. The method for distributing an image as claimed in claim 43, wherein when a person is caught in a plurality of images, and when said step of identifying the target character identifies a person as the target character in one of the plurality of images, said step of identifying also identifies the person in the other of the plurality of images as the target character.

61. The method for distributing an image as claimed in claim 60, wherein said step of capturing images captures a plurality of images from a plurality of cameras located within a predetermined area.

62. The method for distributing an image as claimed in claim 61, further comprising a step of providing a camera group having a plurality of cameras,

wherein said step of capturing images includes capturing by each camera in the plurality of cameras an image of a character such that the character is imaged from a plurality of different angles,

wherein when the character in one of the plurality of images is identified as the target character, said step of identifying the target character identifies the same character in other images captured by said plurality of cameras in the camera group as the target character.

63. The method for distributing an image as claimed in claim 61, further comprising the step of providing a camera group having a plurality of cameras,

wherein said step of capturing images includes capturing by each camera in the plurality of cameras an image of a character such that the character is imaged at a plurality of different time periods, and

wherein when the character in one of the plurality of images is identified as the target character, said step of identifying the target character identifies the same character in other images captured by said plurality of cameras in the camera group as the target character.

64. The method for distributing an image as claimed in claim 43, wherein said step of identifying the target character identifies a person caught in an image as the target character substantially at the time when the image is captured.

65. The method for distributing an image as claimed in claim 64, wherein said step of collecting a target image comprises a step of saving only image data having the target character.

66. The method for distributing an image as claimed in claim 64, wherein:

said step of registering character information includes registering a refusal of a person who refuses to be imaged,

said step of identifying a target character includes identifying the target character in an image as the person who refuses to be imaged substantially at the time when the image is captured, and

when said step of identifying a target character identifies at least one person in the image as the person who refuses to be imaged, said step of collecting images does not collect said image having at least one person who refuses to be imaged.

67. The method for distributing an image as claimed in claim 43, wherein said step of identifying a target character identifies a plurality of characters in an image based on character information corresponding to each of the plurality of characters.

68. The method for distributing an image as claimed in claim 43, further comprising a step of detecting a timing for said step of capturing images, wherein said step of capturing images captures the images when the timing is detected.

69. The method for distributing an image as claimed in claim 68, wherein said step of detecting a timing includes a step of locating a position of the target character based on position information of the target character, wherein

when said step of locating a position locates the target character at a predetermined position, said step of detecting a timing detects the timing for capturing images.

70. The method for distributing an image as claimed in claim 69, further comprising the step of transmitting radio waves from the target character, wherein said step of detecting a timing includes receiving the radio waves, and wherein said step of locating a position includes calculating a distance between a camera system for capturing images and the target character based on the radio waves transmitted and received, and said step of capturing images captures an image when the calculated distance between the camera system and the target character is a predetermined distance.

71. The method for distributing an image as claimed in claim 68, wherein said step of detecting a timing includes locating a position of the target character and a position of a predetermined object to be captured in an image, wherein said step of capturing images captures an image when both the target character and the predetermined object are located within a predetermined area.

72. The method for distributing an image as claimed in claim 43, further comprising a step of transmitting image data captured at said step of capturing images to be stored substantially at the time an image is captured.

73. The method for distributing an image as claimed in claim 43, further comprising a step of transmitting image data captured at said step of capturing images to be stored at predetermined time intervals.

74. The method for distributing an image as claimed in claim 43, further comprising a step of transmitting image data captured at said step of capturing images to be stored when a predetermined number of images are captured.

75. The method for distributing an image as claimed in claim 43, further comprising a step of transmitting image data captured at said step of capturing images to be stored upon at least one of a predetermined number of images being stored in a camera system for capturing the images and a predetermined time interval having elapsed.

76. The method for distributing an image as claimed in claim 43, further comprising a step of outputting image date comprising at least one of printing images on paper, recording images on a CD-R, recording images on an MD, distributing images at a predetermined URL, and sending E-mail with images attached thereto.

77. The method for distributing an image as claimed in claim 43, wherein the methods take place in an amusement park.

78. A business method for distributing an image having a target character, comprising the steps of:

registering character information for the target character;

capturing a plurality of images in which a person who is the target character is caught;

storing image data of said plurality of images;

setting a selecting condition set by a user;

automatically collecting at least one target image from said plurality of images in which the target character is caught from the stored image data based on the registered character information;

obtaining a time when the target character passes a predetermined point;

calculating a speed of the target character based on a distance between two points and a time when the target character passes the two points;

prompting the user to select an image with the target character to be distributed from the at least one collected image;

distributing the selected image in which the target character is caught based on information about the selected image;

displaying a list of collected images having the target character obtained by a search based on a selecting condition appointed by a user to the user so that said list of images are capable of being selected by the user, said selecting condition is a condition for selecting a specific characteristic of the target character;

outputting the images elected by the user from said list of images as displayed to at least one of a plurality of a medium appointed by the user,

wherein only images captured in a predetermined period of time and in a moving area which is calculated based on the time when the target character passes the predetermined point and the speed of the target character, are searched.

79. The image distribution system as claimed in claim 1, further comprising:

a character information database for storing said character information of the target character obtained in said character information obtaining unit;

wherein said image collecting unit obtains said character information from said character information database for identifying the target character.

80. The image distribution system as claimed in claim 1, wherein a character ID is allocated to the target character when said character information obtains said character information from the target character.

81. The image distribution system as claimed in claim 1, wherein said character information obtaining unit obtains said character information of the target character from the first image after said camera system captures said plurality of images including said second image;

said image distribution system further comprising:

an image screen unit for checking if the target character is caught in said plurality of images captured in said camera system for storing said second image.

82. The method for distributing the image having the target character as claimed in claim 43, wherein said registering character information for the target character is performed after said capturing the plurality of images is performed.

83. The method for distributing the image having the target character as claimed in claim 43, wherein said registering character information for the target character is performed before said capturing the plurality of images is performed.

84. The method of claim 43 comprising the step of:

detecting a characteristic sound to capture an image with the target character and capturing the image with the target character when the characteristic sound is detected.

85. The image distribution system of claim 1,

wherein the target character is a person shown in the image.

86. The method of claim 43,

wherein the target character is a person shown in the image.

87. The image distribution system of claim 1,

wherein said camera system automatically captures said plurality of said images.

88. The method of claim 43,

wherein said capturing said plurality of images having the target character is done automatically.

89. The business method of claim 78,

wherein said capturing said plurality of images in which a person who is the target character is caught is done automatically.

90. The image distribution system of claim 1,

wherein said character information represents a characteristic of the target character.

91. The method of claim 43,

wherein said character information represents a characteristic of the target character.

92. The business method of claim 78,

wherein said character information represents a characteristic of the target character.

93. The image distribution system of claim 1,

wherein said selecting condition is to select images with only the user or to select images with the user and other characters.

94. The method of claim 43,

wherein said selecting condition is to select images with only the user or to select images with the user and other characters.

95. The business method of claim 78,

wherein said selecting condition is to select images with only the user or to select images with the user and other characters.

96. The image distribution system of claim 1,

wherein said medium is a physical photographic medium.

97. The method of claim 43,

wherein said medium is a physical photographic medium.

98. The business method of claim 78,

wherein said medium is a physical photographic medium.

99. The image distribution system of claim 96,

wherein said physical photographic medium is paper.

100. The method of claim 97,

wherein said physical photographic medium is paper.

101. The business method of claim 98,

wherein said physical photographic medium is paper.

102. The system of claim 1, wherein the specific characteristic relates to a particular person.

EVIDENCE APPENDIX:

Pursuant to 37 C.F.R. § 41.37(c)(1)(ix), submitted herewith are copies of any evidence submitted pursuant to 37 C.F.R. §§ 1.130, 1.131, or 1.132 or any other evidence entered by the Examiner and relied upon by Appellant in the appeal.

None.

RELATED PROCEEDINGS APPENDIX

Submitted herewith are copies of decisions rendered by a court or the Board in any proceeding identified about in Section II pursuant to 37 C.F.R. § 41.37(c)(1)(ii).

None.